

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HUMAN SERVICES

In the Matter of the Revocation of the
License of Lori Schiller to Provide Day
Care

THIRD PREHEARING ORDER

A Prehearing Conference was held in this matter on December 27, 2007, by telephone. LaMar Piper, Watonwan County Attorney 710 Second Avenue S., St. James, Minnesota 56801, appeared on behalf of the Department of Human Services. Tracy Eichorn-Hicks, 1660 South Highway 100, Suite 500, St. Louis Park, Minnesota, 55416, appeared on behalf of Respondent.

Despite several attempts to negotiate a settlement in this matter, no settlement agreement was able to be reached. Therefore,

IT IS HEREBY ORDERED:

1. A hearing is scheduled for **February 20, 2008 at 9:30 a.m.**, at the Watonwan County Human Services Offices, 715 Second Avenue South, P.O. Box 31, St. James Minnesota 56081.
2. The parties shall exchange witness lists and copies of proposed exhibits by January 14, 2008. A copy of the witness lists and proposed exhibits shall be provided to the ALJ at the same time. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit must notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.
3. In the event that either side requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than February 14, 2008.
4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.
5. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.
6. This case may be appropriate for mediation. The parties are encouraged to promptly consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

7. Failure to appear at the hearing will result in the allegations of the Notice of and Order for Hearing, including the order incorporated therewith, being taken as true. This means that the action being appealed will be upheld.

Dated: December 27, 2007

s/Raymond R. Krause

RAYMOND R. KRAUSE

Chief Administrative Law Judge

cc: Docket Coordinator
Laura Plummer-Zrust